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TO: LAud DATE: 4-18-83

CONGRESSIONAL INQUIRY

PLEASE EXPEDITE

FIDMAY ROAD SITE

TXD980807636



SUPERFUND FILE

NOV 25 1992

REORGANIZED

INSTRUCTIONS: PREPARE FINAL FOR SIGNATURE OF: Dick Whittington, P.E.
Regional Administrator

RETURN TO BARBARA GOETZ BY CLOSE OF BUSINESS:

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VI
1201 ELM STREET
DALLAS, TEXAS 75270

MAY 16 1983

Honorable Jack Fields
Member, United States House
of Representatives
12605 East Freeway, Suite 320
Interfirst State Bank Building
Houston, Texas 77055

Dear Mr. Fields:

Thank you for your letter of April 15, 1983, regarding the concern of the CPVEAC/ACORN organization about allegations of buried PCBs in the 4200 block of Fidelity Road in the Falene Park-Jacinto City area.

I share the concern of these citizens for the right to live in a clean environment. We have reviewed our files on the Gulf Electroquip case and the anonymous phone calls we received regarding the burial of PCB items by this firm. After receiving these calls in 1980, we conducted a thorough investigation of all the allegations. The allegation made regarding the Fidelity Road site was that PCB transformers and capacitors had been buried beneath concrete slabs. We are, therefore, puzzled by the reference in the CPVEAC/ACORN letter to PCBs being present in drainage ditches. When we surveyed the Fidelity Road site in 1980, we noted that several buildings had already been erected on concrete slabs. Since we had no firm evidence to determine under which slab the PCB items were buried, if present at all, and no method to detect their presence under the slabs, we subsequently dropped our investigation upon receiving assurance from Gulf Electroquip that no PCB items were buried at this site. Since there was no logical place to sample and any surface samples collected would not have proved or disproved the presence of PCBs, no samples were taken during our site visit.

In order to clarify this new allegation that PCBs are present in drainage ditches, we have listed this site on the Emergency and Remedial Response Information System (ERRIS) and will investigate this site along with the other ERRIS sites in Region 6. The initial investigation at this site will determine the presence of any drainage ditches and the practicability of installing monitoring wells to detect the presence of any PCBs in the groundwater. The results of this investigation will determine the need for any subsequent actions.

I believe the reference to a pending case in the CPVEAC/ACORN letter refers to two complaints issued to Gulf Electroquip which owned the Fidelity Road site. These cases were finally settled in March 1983 upon payment of a civil penalty in the amount of \$30,000. However,

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these cases did not involve the Fidelity Road site but were related to the handling of PCBs at the firm's North Hayside facility and the burial of capacitors at the Jersey Village site. There was also a large spill from a PCB transformer at the Jersey Village location, but it was cleaned up by the firm. Gulf Electroquip also voluntarily removed contaminated soil from the capacitor burial site. Cleanup at this property was conducted under guidance from this office and the Texas Department of Water Resources.

The above mentioned Jersey Village incident regarding buried capacitors and contaminated soil was brought to EPA's attention through a member of the news media. EPA also received numerous anonymous calls about both the Jersey Village and Fidelity Road sites. (EPA has no knowledge regarding the identity of the anonymous callers in either of these cases.)

If there is additional information on the burial of PCBs at the Fidelity Road site, we would like to obtain such information. However, based on an evaluation performed by our Water Division in October 1980 in response to alleged buried PCBs, the concrete cover and impermeability of the surrounding soils would preclude any hazard to the groundwater or the environment. They reported that downward percolation is inhibited by dense clay layers and that the depth of the water table is about 150 feet. The report also noted the hydrophobic nature of PCBs and the likelihood that they are rapidly absorbed on clay minerals. The report concluded that there was no clear threat to public or major water supplies from possible PCBs at the site, but there could be a threat to any shallow wells that were completed in a perched zone in the immediate vicinity. The subsidence district office in Houston has no records of any such wells. In addition, the placement, if possible, of monitoring wells in the area should detect the presence of any PCBs in the shallow groundwater.

I hope this response will clarify our position regarding the Fidelity Road site and the questions referred to in the CPVFAC/ACORN letter.

Thank you for your offer of cooperation and your expression of interest. If I may be of any further assistance to you or your constituents in this matter, please do not hesitate to contact me.

Sincerely yours,

/s/ Frances E. Phillips for

Dick Whittington, P.E.
Regional Administrator

Enclosure

cc: Gary Schrueder, TDWP

bcc: -Boetz-601e- Greenfield, GORC
Guay, AW Byer, 6AW-P
Kale, GORC